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In re Application of :
Visser et al. :
US Application No.: 10/588,881 :
PCT Application No.: PCT/ZA05/00033 :
Int. Filing Date: 9 February 2005 : DECISION ON PETITION UNDER
Priority Date: 9 February 2004 : 37 CFR 1.137 (b)
Attorney Docket No.: 1365-101.US :
For: SECURITY SYSTEM FOR STORING :
AND TRANSPORTING ARTICLES :

This decision is in response to applicant's "PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)", filed in the United States Patent and Trademark Office on 29 September 2008.

BACKGROUND

On 9 February 2005, applicant filed international application PCT/ZA05/00033. The international application claims a priority date of 9 February 2004 and designates the United States. The deadline for entry into the United States National Stage was thirty months from the priority date, which is 9 August 2006.

On 9 August 2006, applicants filed a submission for entry into the national stage under 35 U.S.C. 371 in the United States which was accompanied by, inter alia, the U.S. Basic National Fee as required by 35 U.S.C. 371(c) (1), and a preliminary amendment.

On 17 March 2008, the United States Designated/Elected Office mailed a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497(a) and (b) was required. The notification set a two-month time limit in which to respond.

On 29 September 2008, applicant filed the instant petition under 37 CFR 1.137(b) which was accompanied by a declaration of the inventors as required by 35 U.S.C. 371(c) (4), a power of attorney, and the petition fee of \$770.00.

DISCUSSION

The above-identified application was abandoned on 20 May 2008 for failure to respond to the Notification of Missing Requirements mailed 17 March 2008.

Under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional delay must be accompanied by: (1) the required reply, unless previously filed, (2) the petition fee as required by law, (3) a statement that the "entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional," and (4) any terminal disclaimer and fee required pursuant to 37 CFR 1.137(c).

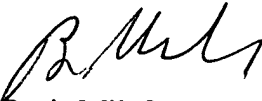
Petitioner has satisfied requirements (1)-(4) under 37 CFR 1.137 (b).

CONCLUSION

The petition under 37 CFR 1.137(b) is **GRANTED**.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing.

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